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CAPTAIN FREEMAN STATES REASON FOR TAKING LAW INTO OWN HANDS: IS FREE
(Continued from Page One.)

the top of the stairs he was advised to stand back. Capt. Freeman was standing in the corridor outside the customs house door. It was dark and the lights in the hall were out but he recognized Capt. Freeman's voice as he was talking to Mr. Wynn. He said, "I am going to get satisfaction." Mr. Wynn informed witness that it was Capt. Freeman and he had a gun. Then witness heard the action of the gun and the captain said "Nobody is going to get in here except over my dead body. He talked to Mr. Wynn a few minutes and advised him (Wynn) to go and get the assistance of the police. Witness then went downstairs and met Constable Cameron. In answer to Mr. Craig, witness asserted that he had been unable to get to his duties in the office on account of Capt. Freeman. He did not see Capt. Freeman again that day and it was 1.30 before he got in the office.

On being asked if he had any question for the witness, Capt. Freeman said:

"Had you any idea that the defendant had a grievance against the government?"

Mr. Nelson—Yes.
Replying to another question by Captain Freeman, Mr. Nelson declined to express an opinion as to whether or not he (Freeman) had been treated fairly by the department. He believed, however, that Capt. Freeman's grievance had been the reason for his holding up the customs house.

Wynne's Evidence

John Wynne told of going to the customs office at 5 minutes to 9. Shortly after Capt. Freeman walked into the hall and asked when the office opened. Witness said nine o'clock and Capt. Freeman said it would not open that day. Accused had a rifle in his hand and said that he had a grievance which he was going to bring to a head. Witness then proceeded to walk up and down the hall and Capt. Freeman said "Stop, if you come any further I will shoot." Accused seemed excited and not himself



Sealed Tenders will be received by the Minister of Lands, at Victoria, not later than noon on the 28th day of June, 1923, for the purchase of Licence X 5132, to cut 300,000 feet of Fir and Cedar, on an area situated on the west shore of Dean Channel, approximately 1 mile north of Iron Island, Range 3, Coast Land District. Two (2) years will be allowed for removal of timber.

TIMBER SALE X 5058.

Sealed Tenders will be received by the Minister of Lands, at Victoria, not later than noon on the 28th day of June, 1923, for the purchase of Licence X 5058, to cut 432,925 feet of Spruce, Cedar, and Hemlock on an area situated on the east side of Shillie Island, Queen Charlotte Land District. Two (2) years will be allowed for removal of timber.

TIMBER SALE X 5070.

Sealed Tenders will be received by the Minister of Lands, at Victoria, not later than noon on the 28th day of June, 1923, for the purchase of Licence X 5070, to cut 1,936,560 feet of Hemlock, Balsam, Spruce and Cedar, on an area situated on the west shore of Surf Inlet, approximately 4 miles from head, Range 4, Coast Land District.

TIMBER SALE X 5123.

Sealed Tenders will be received by the Minister of Lands, at Victoria, not later than noon on the 22nd day of June, 1923, for the purchase of Licence X 5123, to cut 5,101,000 feet of Spruce and Hemlock, and 1,200,000 feet of felled and bucked Spruce and Hemlock, on an area situated on Limestone Bay, Louise Island, Queen Charlotte Land District. Two (2) years will be allowed for removal of timber.

TIMBER SALE X 5081.

Sealed Tenders will be received by the Minister of Lands, at Victoria, not later than noon on the 22nd day of June, 1923, for the purchase of Licence X 5081, to cut 5,101,000 feet of Spruce and Hemlock, and 1,200,000 feet of felled and bucked Spruce and Hemlock, on an area situated on Limestone Bay, Louise Island, Queen Charlotte Land District. Two (2) years will be allowed for removal of timber.

TIMBER SALE X 5190.

Sealed Tenders will be received by the Minister of Lands, at Victoria, not later than noon on the 29th day of June, 1923, for the purchase of Licence X 5190, to cut 1,000,000 feet of Spruce and Hemlock and 27,500 lin. ft. of Spruce and Hemlock piling on an area situated on the northeast shore of Salt Lake, Porcher Island, Range 5, Coast Land District. Two (2) years will be allowed for removal of timber.

Look at the Head
A band of BLUE tipped with RED
MAPLE LEAF MATCHES
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and he had no hat on. Mr. Nelson then came along and witness went downstairs after staying about four minutes. He did not get into the office until 1.30 because Capt. Freeman was there. He saw Capt. Freeman go out at 1.30. In the meantime several persons went up to remonstrate with Capt. Freeman.

"Did you have any idea that defendant had a grievance against the government?" asked Capt. Freeman.

"Yes, I heard a rumor to that effect," was Mr. Wynn's reply.

Capt. Freeman—"Do you believe the department of Marine treated defendant fairly?"

Mr. Wynn—"The matter had nothing to do with my department."

Constable Cameron

D. S. Cameron, who was a member of the city police at the time, said that about 9.15 on October 31 he was coming out of the post office and met Mr. Nelson. On information he received from him he went up to the customs house lobby. "Capt. Freeman was reclining in a corner of the hallway and ordered witness to stop. Witness pointed out to accused that he was committing a serious offence in holding up the business of the customs house and advised him to give up his rifle and come to the police station. Accused said he had been held up for five years by the customs department and he would not allow them to do business until he got an investigation. Witness endeavored to get closer but accused said to stop or he would shoot. He went out and reported the situation by telephone to Chief of Police Vickers who ordered him (witness) to allow matters to stand as they were for the present. He (witness) was then put on duty outside the door leading to the customs house until 1.30. Ben Self and Dr. Cade went up to speak to Capt. Freeman and then they went out to see Mr. Stork.

QUEEN CHARLOTTE LAND DISTRICT.

Application to Lease Foreshore Lands.

In Queen Charlotte Land District, Recording District of Prince Rupert, and situated at the mouth of Slatechuck Creek, Kagan Bay, Skidegate Inlet, Graham Island, B.C.

Take Notice that W. G. McMorris, of Vancouver, B.C., occupation miner, intends to apply for permission to lease the following described foreshore lands: Commencing at a post planted at high tide mark on the west bank of Slatechuck Creek, about 1,500 feet west of the southeast corner post of Lot 1; thence 10 chains southeasterly; thence 40 chains northeasterly; thence 10 chains northwesterly; thence following high water mark to point of commencement, and containing 16 acres more or less.

WILLIAM GEORGE McMORRIS.
Dated May 26, 1923.

QUEEN CHARLOTTE LAND DISTRICT.

Application to Purchase Land.

In Queen Charlotte Land District, Recording District of Prince Rupert, and situated in Kagan Bay, Skidegate Inlet, and known as Burnt Island, lying to the southwest of Lina Island.

Take Notice that W. G. McMorris, of Vancouver, B.C., occupation miner, intends to apply for permission to purchase the following described lands: Commencing at a post planted at the northeasterly corner of Burnt Island thence following shore line of said island to point of commencement, containing 20 (twenty) acres more or less.

WILLIAM GEORGE McMORRIS.
Dated May 25, 1923.

TIMBER SALE X 5190.

Sealed Tenders will be received by the Minister of Lands, at Victoria, not later than noon on the 29th day of June, 1923, for the purchase of Licence X 5190, to cut 1,000,000 feet of Spruce and Hemlock and 27,500 lin. ft. of Spruce and Hemlock piling on an area situated on the northeast shore of Salt Lake, Porcher Island, Range 5, Coast Land District. Two (2) years will be allowed for removal of timber.

M.P. They returned with a letter from Mr. Stork promising an investigation. Thereupon, accused handed his rifle to Mr. Self and came downstairs and witness accompanied him to the police station after giving him lunch at the St. Regis cafe. When they arrived at the station the rifle was examined. It was found to contain no ammunition and accused had no ammunition on his person.

Deprived of Business

Capt. Freeman, on taking the stand on his own behalf, said it was not necessary to say much. He had built up a business to Portland Canal with his gasboat and had been deprived of it unlawfully when the steamboat inspector, Mr. Farrow, refused him a license. This resulted in the customs refusing him a clearance. At the time his license was taken away his boat was loaded with freight but had no passengers although he was accused of having passengers.

Capt. Freeman then went on to explain the various classes of licenses for boats. He had been denied a license under all classes. Finding it impossible to get satisfaction from any of the officials, he had resorted to an illegal act to force the officials to obey the law. Accused admitted that he had no personal grievance against Mr. Nelson or Mr. Wynn. The customs had denied him a clearance because he could not get a license from the steamboat inspector, Mr. Farrow.

His Lordship asked Capt. Freeman why he had not gone to Mr. Farrow or Mr. Stork, to which accused replied that Mr. Farrow was in Vancouver and he had gone to the chief federal office in the city—the customs. He had written to Mr. Stork but had succeeded in getting no reply.

"I surrendered myself on the written promise of Mr. Stork that there would be an investigation which has not yet been held," asserted Capt. Freeman in answer to a question from the jury.

"If you had not received that promise, what would you have done?" asked Mr. Justice Murphy.

"I don't know what I would have done," replied the accused.

Naturalized Canadian

Capt. Freeman said he was a native of Illinois and had resided in Washington, then going to the Yukon and coming to Prince Rupert in 1906. He was a naturalized Canadian. For twenty months he had been carrying freight, passengers and mail to the head of Portland Canal and had then been refused a license. He was required to carry a 18-foot lifeboat on the basis of outside water when everybody knew that the waters thus traversed were sheltered. Later he had been refused a license, even when complying with this regulation. "In the meantime, another boat, the Provincial, had cleared for Stewart with a 14 foot lifeboat. He (Freeman) had offered to put on reasonable equipment but the inspector said that he could not get him a license. He (Freeman) was refused a license altogether although he had been informed officially by the department that he was entitled to a license. He had done everything reasonable to get a license under some class and had taken the matter up through Williams & Ganzales and Fisher & Oughton.

W. E. Williams was called to the stand by His Lordship. Mr. Williams said that what Capt. Freeman had said he believed was pretty much the correct story. He did not know what the real reason was and had been unable to find out why Capt. Freeman could not get a license. It seemed that he had been ordered to put extraordinary equipment on his particular boat. Apparently the captain had a grievance although he (Mr. Williams) did not know fully the other side of the question. An 18-foot boat it would seem to him would take care of a great many passengers in these waters. He (Mr. Williams) felt that everybody had a lot of sympathy with Capt. Freeman although some might object to his methods.

Mr. Craig said that it would be unnecessary for him to charge the jury.

Judge's Charge

Mr. Justice Morrison, in his charge to the jury, pointed out that though the captain probably had a grievance he had certainly not gone about getting a settlement in the right manner when he had taken the law into his

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own hands. Such an action as he had taken was serious and tended to a breach of the peace. If a police officer had gone up and shot Capt. Freeman, he might have been dead today and the policeman would not be to blame. The captain would be in his grave. They would find that he had had no ammunition in his gun and they would just say "The Old Fool." Though, under the circumstances, a hot headed policeman would have been justified in shooting, fortunately, the officer had kept control of himself, no doubt knowing Capt. Freeman personally. He (Capt. Freeman) was running an awful risk however, for nobody knew the gun was not loaded. The customs officer had not said as much but he must have thought that Capt. Freeman had gone a little nutty. As far as he (His Lordship) was concerned, Capt. Freeman looked to be far too sensible a man to do such a thing as he had done. After all, the reason for the action had nothing to do with the fact that he had broken the law in using a lethal weapon to threaten the officers. The case was undeniably so the jury only had one thing to do. Capt. Freeman might

just as easily today have been a corpse as sitting in the prisoner's dock. The ideal of this trial was to prevent him or anybody else repeating such a silly action. As far as the jury is concerned, the charge is practically admitted and the matter of mitigation is up to me, concluded His Lordship.

Verdict and Sentence

When the jury returned with its verdict of guilty and the recommendation Mr. Justice Morrison asked how long accused had been in jail.
"Not at all," was the reply.
"You have been in custody then?"
"Yes."
"Well, I am going to let you off with the time you have already been in custody," decided His Lordship. "I know you will not do such a thing again and will tell your friends not to do it. The next man might not get off so easily. Like the jury, I sympathize with you but that is no excuse for your action. You may go."
To the jury, Mr. Justice Morrison said it would give him much satisfaction to order the proceedings sent to Ottawa as they had recommended.

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